

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Authorization to Pursue Refund through Legal Remedy

DEPARTMENT: Environmental Services **DIVISION:** Billing Office

AUTHORIZED BY: *Robert G. Adolphe* **CONTACT:** Dan Cotterman **EXT.** 2150
Robert G. Adolphe, P.E.

Agenda Date <u>2-25-03</u>	Regular <input type="checkbox"/>	Consent <input checked="" type="checkbox"/>	Work Session <input type="checkbox"/>	Briefing <input type="checkbox"/>
	Public Hearing – 1:30 <input type="checkbox"/>		Public Hearing – 7:00 <input type="checkbox"/>	

MOTION/RECOMMENDATION:

Request authorization to file suit against Kimmins Corporation of Tampa for the return of funds paid in error, attorney's fees and costs allowed by law and other appropriate remedies.

BACKGROUND:

Due to an error in the process of establishing new utility accounts, staff incorrectly applied a new customer's deposit to the accounts of a prior owner. The misapplication resulted in the prior owner incorrectly receiving credits in the amount of \$31,440.00. Attempts by County staff to contact and request repayment have been unsuccessful in receiving refund. We are now requesting approval to pursue legal remedy.

Action has been initiated with the Clerk of the Courts to audit the deposit refund procedure and prevent future occurrences of this error.

Reviewed by:
Co Atty: _____
DFS: _____
Other: _____
DCM: <u><i>[Signature]</i></u>
CM: <u><i>[Signature]</i></u>
File No. <u>CESA03</u>